

Docket No.: 0101957.00139 US1
(PATENT)

REMARKS

This submission replaces and supersedes the proposed amendment of October 1, 2007.

Claims 1-4 and 9-17 were appealed. In the decision by the Board of Patent Appeals and Interferences dated July 31, 2007, the Board affirmed the rejections of claims 1-4, 10-12, and 14-17, and reversed the rejection in the case of claims 9 and 13. Applicants do not elect to reopen prosecution or request rehearing with respect to the new ground of rejection.

By this amendment, applicants propose amending claims 1 and 12 and canceling claims 9, 13, 16, and 17. Reconsideration and allowance are respectfully requested.

Claim 1 is proposed to be amended to incorporate the subject matter of claim 9, and claim 12, to incorporate the subject matter of claim 13. Claims 16 and 17 are cancelled.

Applicants appreciate the time taken by Supervisory Patent Examiner Stephen Hong on September 27, 2007. Applicants and Mr. Hong discussed post-appeal procedure. Mr. Hong suggested that claim 12 be revised to recite the language being added to the preamble.

On November 16, 2007, the Patent Office mailed a Notice of Non-Compliant Amendment indicating that prosecution had been closed. In response, applicants' attorney contacted Examiner Laurie Anne Ries who left a message indicating that the problem with the amendment was the addition of new claims. Examiner Ries suggested that the amendment be resubmitted without any new claims. This suggestion has been accepted, and hence this submission.

If this amendment is deemed to be non-complaint in any way, applicants request that the Examiner make the changes indicated in this amendment by examiner's amendment before passing the application to issuance. The Examiner is urged to contact applicant's attorney at the telephone number listed below in the event that such an amendment cannot be entered.


All claims should now be in condition for allowance and accordingly a notice of allowance is respectfully requested.

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The Commissioner is hereby authorized to charge any fees now required to maintain the pendency of the application, to Deposit Account No. 08-0219.

Dated: November 29, 2007

Respectfully submitted,

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